

Jones / J

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

HUGH JOHN TULLY and PENELOPE CAROL
TULLY, on behalf of themselves and all others
similarly situated,

Plaintiffs,

vs.

THE CHARLES SCHWAB CORPORATION,
SCHWAB INVESTMENTS, CHARLES
SCHWAB & CO. INC., CHARLES SCHWAB
INVESTMENT MANAGEMENT, INC.,
CHARLES R. SCHWAB, EVELYN DILSAVER,
RANDALL W. MERK and GEORGE PEREIRA,

Defendants.

Case No. 08-CV-3652 (BSJ)

STIPULATION EXTENDING TIME
TO RESPOND TO COMPLAINT
AND ~~PROPOSED~~ ORDER

WHEREAS, this action was filed on April 16, 2008, asserting claims against defendants under Section 11, Section 12(a) and Section 15 of the Securities Act of 1933;

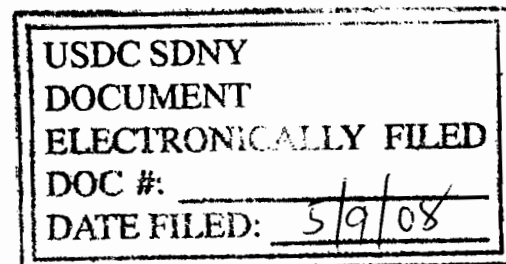
WHEREAS, seven other actions have been filed since March 18, 2008, involving identical claims and substantially overlapping parties and those actions are pending in the United States District Courts for the Northern District of California and the District of Massachusetts;

WHEREAS, the parties understand that all of these actions will be consolidated into a single action, after which a lead plaintiff will be designated and a consolidated complaint will be filed;

WHEREAS, the parties agree that defendants should respond only to the consolidated complaint filed by lead plaintiff and not to the individual complaints in the related actions;

WHEREAS, defendants' response date in this action is currently May 8, 2008, and this is the first request made for an extension of time; and

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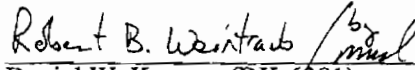
WHEREAS, the parties agree that, by entering into this stipulation, defendants have not waived any objection they may have with respect to personal jurisdiction in this Court or in any court in which one of the related actions is pending,

THEREFORE THE PARTIES HERETO AGREE AND STIPULATE, through their respective counsel of record, that defendants' time to respond to the complaint in this action shall be extended until 30 days after the service of a consolidated complaint by lead plaintiff.

SO STIPULATED.

Dated: May 7, 2008

WOLF HALDENSTEIN ADLER FREEMAN &
HERZ LLP

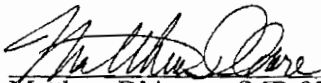


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Dated: May 7, 2008

MORRISON & FOERSTER LLP



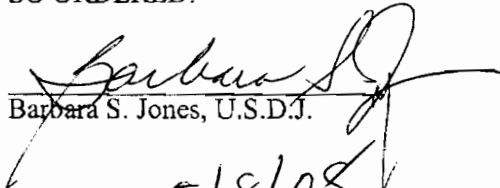
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SO ORDERED:


Barbara S. Jones, U.S.D.J.

5/8/08